

RECEIVED
CLERK'S OFFICE

MAY 19 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PETITION OF)
ARGONNE NATIONAL LABORATORY)
FOR AN ADJUSTED STANDARD)
FROM 35 Ill. Adm. Code 218.182)

STATE OF ILLINOIS
Pollution Control Board
2003-04
AS ~~xx-xxx~~
(Adjusted Standard - X)

NOTICE OF FILING

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the MOTION TO REFILE ADJUSTED STANDARD PETITION AND INCORPORATE THE RECORD IN AS 2003-3, a copy of which is herewith served upon you.

PLEASE TAKE NOTICE ALSO that the above-referenced MOTION has been printed on recycled paper meeting the terms of the Pollution Control Board's regulation on that subject.

For THE UNIVERSITY OF CHICAGO:

William D. Luck
William D. Luck
Assistant General Counsel
Argonne National Laboratory
Operated by The University of Chicago
For the U.S. Department of Energy
9700 S. Cass Avenue
Argonne, Illinois 60439
(630) 252-7300

16 May 2003
Date

RECEIVED
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD MAY 19 2003

IN THE MATTER OF:)
)
PETITION OF)
ARGONNE NATIONAL LABORATORY) AS ~~xxxx~~ 2003-04 STATE OF ILLINOIS
FOR AN ADJUSTED STANDARD) (Adjusted Standard - X) Pollution Control Board
FROM 35 Ill. Adm. Code 218.182)


MOTION TO REFILE ADJUSTED STANDARD PETITION
AND INCORPORATE THE RECORD IN AS 2003-3

Argonne National Laboratory (Argonne), as represented by the United States Department of Energy and The University of Chicago, hereby submits its MOTION TO REFILE ADJUSTED STANDARD PETITION AND TO INCORPORATE THE RECORD IN AS 2003-3. In support of said MOTION, Argonne states as follows:

1. On April 22, 2003 Argonne filed with the Illinois Pollution Control Board its PETITION OF ARGONNE NATIONAL LABORATORY FOR AN ADJUSTED STANDARD FROM 35 Ill. Adm. Code 218.182, which the Board docketed as AS 2003-3.
2. Argonne did not accomplish the publication of Notice of the PETITION, required pursuant to 35 Ill. Adm. Code 104.408, within 14 days of the filing of the PETITION.
3. Accordingly, the Board lacks jurisdiction over the PETITION filed on April 22, 2003 and is expected to dismiss that PETITION on May 15, 2003.
4. Argonne, by this MOTION, is hereby refiling the referenced PETITION and requesting the incorporation of the complete record of AS 2003-3.
5. As part of the process of refiling its PETITION, Argonne will cause publication of a notice advertisement pursuant to 35 Ill. Adm. Code 104.408 within 14 days of the refiling of the PETITION.
6. Following the publication of the notice, pursuant to 35 Ill. Adm. Code 104.410, within 30 days following the refiling of the PETITION, Argonne will file with the Board a CERTIFICATE OF PUBLICATION that certifies the publication of the notice advertisement pursuant to 35 Ill. Adm. Code 104.408.
7. Because this MOTION requests incorporation of the previously-filed PETITION, the PETITION is not attached to this MOTION as an exhibit.

WHEREFORE, Argonne respectfully submits its MOTION TO REFILE ADJUSTED STANDARD PETITION AND TO INCORPORATE THE RECORD IN AS 2003-3.

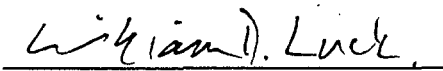
For U.S. DEPARTMENT OF ENERGY:



Vicki L. Prouty
Assistant Chief Counsel
U.S. Department of Energy
9800 S. Cass Avenue
Argonne, Illinois 60439
(630) 252-2244

May 15, 2003
Date

For THE UNIVERSITY OF CHICAGO:



William D. Luck
Assistant General Counsel
Argonne National Laboratory
9700 S. Cass Avenue
Argonne, Illinois 60439
(630) 252-7300

15 May 2003 -
Date

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MAY 19 2003


IN THE MATTER OF:)
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PETITION OF)
ARGONNE NATIONAL LABORATORY)
FOR AN ADJUSTED STANDARD)
FROM 35 Ill. Adm. Code 218.182)

03-04 STATE OF ILLINOIS
AS ~~xx-xxx~~ Pollution Control Board
(Adjusted Standard - X)

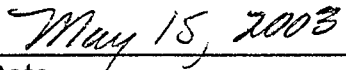
APPEARANCE

I hereby file my appearance in this proceeding, on behalf of the U.S. Department of Energy.

For U.S. DEPARTMENT OF ENERGY:



Vicki L. Prouty
Assistant Chief Counsel
U.S. Department of Energy
9800 S. Cass Avenue
Argonne, Illinois 60439
(630) 252-2036



Date

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **MAY 19 2003**

IN THE MATTER OF:)
)
PETITION OF)
ARGONNE NATIONAL LABORATORY)
FOR AN ADJUSTED STANDARD)
FROM 35 Ill. Adm. Code 218.182)

STATE OF ILLINOIS
Pollution Control Board
03-04
AS ~~xx-xxx~~
(Adjusted Standard - X)

APPEARANCE

I hereby file my appearance in this proceeding, on behalf of The University of Chicago.

For THE UNIVERSITY OF CHICAGO:

William D. Luck
William D. Luck
Assistant General Counsel
Argonne National Laboratory
Operated by The University of Chicago
For the U.S. Department of Energy
9700 S. Cass Avenue
Argonne, Illinois 60439
(630) 252-7300

15 May 2003 -
Date

MAY 19 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
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PETITION OF)
ARGONNE NATIONAL LABORATORY)
FOR AN ADJUSTED STANDARD)
FROM 35 Ill. Adm. Code 218.182)

STATE OF ILLINOIS
Pollution Control Board
03-04
AS ~~xx-xxx~~
(Adjusted Standard - X)

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the original and nine (9) duplicate copies of the attached MOTION TO REFILE ADJUSTED STANDARD PETITION AND INCORPORATE THE RECORD IN AS 2003-3, upon the following person, by depositing it with FEDERAL EXPRESS on this date:

Pollution Control Board
Attention: Clerk
100 W. Randolph Street
James R. Thompson Center
Suite 11-500
Chicago, Illinois 60601-3218

I further certify that I have served one (1) copy of the attached MOTION TO REFILE ADJUSTED STANDARD PETITION AND INCORPORATE THE RECORD IN AS 2003-3 upon the following person, by depositing it with FEDERAL EXPRESS on this date:

Rachel Doctors
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

For THE UNIVERSITY OF CHICAGO:

William D. Luck
William D. Luck
Assistant General Counsel
Argonne National Laboratory
Operated by The University of Chicago
For the U.S. Department of Energy
9700 S. Cass Avenue
Argonne, Illinois 60439
(630) 252-7300

16 May 2003
Date